

Docket No.: 10884-00025-US

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Christopher J. Sewall et al.

Application No.: 10/824688

Confirmation No.: 8069

Filed: April 14, 2004

Art Unit: N/A

For:

HOMOGENEOUS, THERMOREVERSIBLE

GEL CONTAINING REDUCED VISCOSITY CARRAGEENAN AND PRODUCTS MADE

THEREFROM

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

Application No.: 10/824688 Docket No.: 10884-00025-US

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 10884-00025-US. A duplicate copy of this paper is enclosed.

Dated: November 8,3005

Respectfully submitted,

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Attorney Docket No.: 10884-00025-US



Application No. (if known): 10/824688

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Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known				
Application Number 10/824688-Conf. #8069				
Filing Date	April 14, 2004			
First Named Inventor	Christopher J. Sewall			
Art Unit	N/A			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	10884-00025-US			

U.S. PATENT DOCUMENTS						
Examiner	Cite	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan	
Initials*	No.1	Number-Kind Code ² (if known)	WINVIPODE	Applicant of Cited Document	Figures Appear	
	AA	2,802,000	8/6/1957	Caldwell et al.		
	AB	2,813,093	11/12/1957	Caldwell et al.		
	AC	2,825,727	3/4/1958	C. G. Caldwell		
	AD	2,876,217	3/3/1959	E. F. Paschall		
	AE	3,058,827	10/16/1962	J. L. Graham		
-	AF	3,094,517	6/18/1963	N. F. Stanley		
	AG	3,176,003	3/30/1965	D. J. Stancioff		
	AH	3,329,509	7/4/1967	A. Julius		
	ΑI	3,378,546	4/16/1968	T. Tsuzuki		
	AJ	3,499,962	3/10/1970	Warzburg et al.	,	
	AK	3,505,110	4/7/1970	Kesler et al.		
	AL	3,607394	9/21/1971	F. J. Germino et al.		
	ΑM	3,865,603	2/11/1975	Szymanski et al.		
	AN	4,009,291	2/22/1977	Mitchell et al.		
	AO	4,026,986	5/31/1977	Christen et al.		
	AP	4,129,134	12/12/1978	Hind et al.		
<u> </u>	AQ	4,231,803	11/4/1980	Bovier et al.		
	AR	4,276,320	6/30/1981	A. Moirano		
	AS	4,600,439	7/15/1986	Schneider et al.		
	AT	4,615,897	10/7/1986	Brown et al.		
	AU	4,626,288	12/2/1986	Trzasko et al.		
	AV	4,632,848	12/30/1986	Gassett et al.		
	AW	4,643,894	2/17/1987	S. C. Porter et al.		
	AX	4,725,441	2/16/1988	S. C. Porter		
	AY	4,738,724	4/19/1988	Wittwer et al		
	AZ	4,795,642	1/3/1989	Cohen et al.		
		4,828,841	5/9/1989	S. C. Porter		
		4,935,243	6/19/1990	Borkan et al.		
	+	5,089,307	2/18/1992	H. Ninomiya et al		
		5,146,730	9/15/1992	Sadek et al.		
		5,224,989	7/6/1993	Eva Likarova		
		5,334,640	8/2/1994	Desai et al.		
		5,342,626	8/30/1994	P. E. Winston, Jr. et al.		
		5,451,673	9/19/1995	Fishman et al.		
	ABI	5,484,598	1/16/1996	Schurig et al.	-	
	ABJ	5,549,983	8/27/1996	J. Yamanis		
		5,525,368	6/11/1996	Rha et al.		
		5,550,178	8/27/1996	Desai et al.		
		5,554,385	9/10/1996	N. Stroud		
		5,587,412	12/24/1996	G. Bochers et al.		
		5,620,757	4/15/1997	H. Ninomiya et al.		
		5,646,206	7/8/1997	D. R. Coffin et al.	·	
		5,656,294	8/12/1997	Friend et al.		
		5,672,699	9/30/1997	R. L. Billmers et al.		
		5,726,008	3/10/1998	J. E. Maskasky		

Examiner	 Date	
Signature	 Considered	

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Complete if Known Substitute for form 1449A/B/PTO Application Number 10/824688-Conf. #8069 **INFORMATION DISCLOSURE** Filing Date April 14, 2004 STATEMENT BY APPLICANT First Named Inventor Christopher J. Sewall N/A Art Unit (Use as many sheets as necessary) Not Yet Assigned Examiner Name Sheet 2 of 4 Attorney Docket Number 10884-00025-US

ART	5,804,243	9/8/1998	Loh et al.
	5,811,388	9/22/1998	Friend et al.
	5,817,323	10/6/1998	Hutchinson et al.
	5,932,639	8/3/1999	Eden et al.
	5,976,586	11/2/1999	L. Feller
	6,030,641	2/29/2000	Yamashita et al.
	6,063,915	5/16/2000	Hansen et al.
	6,066,368	5/23/2000	Billmers et al.
	6,143,324	11/7/2000	Michaud et al.
	6,146,570	11/14/2000	A. J. Stern
	6,210,709	4/3/2001	Laba et al.
	6,214,376	4/10/2001	A. Gennadios
	6,331,205	12/18/2001	L. Paris
	6,375,981	4/23/2002	G. M. Gilleland et al.
	6,387,354	5/14/2002	Bixler et al.
	6,479,649	11/12/2002	Tsai et al.
	6,517,865	2/11/2003	Cade et al.
	6,528,088	3/4/2003	Gilleland et al.
	6,607,748	8/19/2003	V. Lenaerts et al.
	6,649,188	11/18/2003	Gilleland et al.
	6,790,495	9/14/2004	Tomka et al.
	2002/0081331	6/27/2002	K. E. Tanner et al.
	2002/0142031	10/3/2002	G. M. Gilleland et al.
	2003/0138482	7/24/2003	L. G. Fonkwe et al.
	2004/0087669	5/6/2004	S. Hausmanns et al.
	2005/0069579	3/31/2005	R. Kamaguchi et al.
	2005/0070703	3/31/2005	R. Muller et al.
ACU	2005/0163833	7/28/2005	R. Muller

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Date		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	ВА	EP 0 169 319	1/29/1986	Berwind Pharmaceutical Services, Inc.			
-	ВВ	EP 0 400 484	12/5/1990	Mitsubishi Rayon Co., LTD			
	BC	EP 0 408 503	1/16/1991	Warner-Lambert Company		П	
	BD	EP 0 409 781	1/23/1991	Warner-Lambert Company		П	
	BE	EP 0 409 782	1/23/1991	Warner-Lambert Company			
	BF	EP 0 409 788	1/23/1991	Warner-Lambert Company			
	BG	EP 0 471 558	2/19/1992	Unilever NV			
	ВН	EP 0 547 551	6/23/1993	National Search and Chemical Investment Holding Corporation			
	ВІ	EP 0 606 486	7/20/1994	Teijin Limited			
	BJ	EP 0 622 408	11/2/1994	CP Kelco ApS		T	
_	ВК	EP 0 633 896	1/18/1995	National Search and Chemical Investment Holding Corporation			
	BL	EP 0 761 691	3/12/1997	National Search and Chemical Investment Holding Corporation			

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			Art Unit	N/A	
(Use as many sheets as necessary)		Examiner Name	Not Yet Assigned		
Sheet	3	of	4	Attorney Docket Number	10884-00025-US

BM) JP 5-4914	1/14/1993	Asahi Chemical Ind; Fuji Capsule KK	
BN	JP 7-196478	8/1/1995	Sugii Hajime	
BC	WO 94/25493	11/10/1994	The United States of America	
BP	WO 97/49762	12/31/1997	Oy Polymer Corex Kuopio Ltd.	
BC	WO 99/07347	2/18/1999	Paris, Laurence	
BF	WO 00/10538	3/2/2000	Banner Pharmacaps, Inc.	
BS	WO 00/18835	4/6/2000	Warner-Lambert Company	
ВТ	WO 01/37817	5/31/2001	Greither, Peter	
BU	J WO 01/91721	12/6/2001	A.E. Staley Manufacturing Co.	

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		NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	• I a madazine iolimai senai symnosium catalog etc.) date badeis) volume-issue numberisi bublisher				
	CA	de Vries J., "Interaction of carrageenan with other ingredients in dairy dessert gels", Gums and stabilisers for the food industry 11: proceedings of the 11th conference, Wrexham, vol. 11 (2002), no, pages 201-210, July 2001			
	СВ	R. Falshaw et al., "Structure and performance of commercial K-2 carrageenan extracts", Food Hydrocolloids, vol. 17, pages 129-139, 2003			
	CC	FMC BioPolymer, "Carrageenan Matrices for Entrapment", Issue No. 1, April 1993			
	CD	Henry J. Witt, "Carrageenan Nature's Most Versatile Hydrocolloid", pages 347-360, 1985			
	CE	Glicksman, M., "Gum Technology in the Food Industry", Academic Press, pages 213-228, 1969			
	CD	C. J. Lawson et al., "Carrageenans", J.C.S. Perkin I, pages 2177-2182, 1973			
	CE	H. J. Bixler, "Recent developments in manufacturing and marketing carrageenan", Hydrobiologia, pages 35-57, 1996			
	CF	M. C. Matulewicz et al., "Carrageenan Systems from Tetrasporic or Cystocarpic Stages of Gigartina Skottsbergii", Phytochemistry, vol. 28, pages 2937-2941, 1989			
	CG	M. C. Matulewicz et al., "Methylation Analysis of Carrageenans from Tetrasporic and Cystocarpic Stages of Gigartina Skottsbergii", Phytochemistry, vol. 29, no. 11, pages 3407-3410, 1990			
	СН	C. Rochas et al., "Relation Between the Molecular Strcture and Mechanical Properties of Carrageenan Gels", "Carbohydrate Polymers, vol. 10, pages 115-127, 1989			
	CI	Stancioff, D. J. and Stanley, N. F., "Infrared and Chemical Studies on Algal Polysaccharides", Prod. Intl. Seaweed Symp. 6, pages 595-609, 1969			
	Cl	Bellion, C. et al, "Analysis of Kappa-lota Hybrid Carrageenans with Kappa-Carrageenase, lota-Carrageenase and ¹³ C N.M.R., Xth International Seaweed Symposium, Walter de Gruyter & Co., Berlin-New York, pages 379-384, 1981			
	СК	Peats, S., "The Infrared Spectra of Carrageenans Extracted from Various Algae", Xth International Seaweed Symposium, Walter de Gruyter & Co., Berlin-New York, pages 495-502, 1981			
	CL	JP 5-4914 English language Abstract (espace.net)			
	СМ	JP 7-196478 English language Abstract (European Patent Office)			

Examiner	Date
Signature	Considered

PTO/SB/08a/b (07-05)
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Signature	 Considered	

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